

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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K.B., et al.,	:	
	:	
Plaintiffs,	:	
	:	23 Civ. 3041 (LGS)
-against-	:	
	:	<u>ORDER</u>
	:	
NEW YORK CITY DEPARTMENT OF	:	
EDUCATION,	:	
	:	
Defendant.	:	
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, Plaintiff filed a Complaint on April 11, 2023. Defendant filed its Answer on August 7, 2023. It is hereby

**ORDERED** that by **August 16, 2023**, the parties shall return an executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form to the Clerk of Court,<sup>1</sup> if the parties agree to conduct all further proceedings before Judge Figueredo, in compliance with Rule 73.1 of the Local Civil Rules for the Southern and Eastern Districts of New York. It is further

**ORDERED** that by **August 30, 2023**, Plaintiff shall file a motion for summary judgment, not to exceed 25 pages. By **September 20, 2023**, Defendant shall file the opposition and any cross-motion for summary judgment, not to exceed 30 pages. By **October 11, 2023**, Plaintiff shall file a reply and opposition to Defendant's cross-motion for summary judgment if any, not to exceed 15 pages. By **October 25, 2023**, Defendant shall file a reply in support of the cross-motion for summary judgment if any, not to exceed 10 pages. Notwithstanding these

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<sup>1</sup> The form is available at [https://nysd.uscourts.gov/sites/default/files/practice\\_documents/kpfSDNYFormConsentingToProceedForAllPurposesBeforeAMagistrateJudge.pdf](https://nysd.uscourts.gov/sites/default/files/practice_documents/kpfSDNYFormConsentingToProceedForAllPurposesBeforeAMagistrateJudge.pdf).

aforementioned page limits, each party has discretion over how to allocate its respective 40 pages total of briefing across its two briefs, provided neither party exceeds the 40 pages of briefing total. It is further

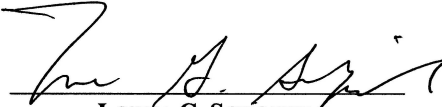
**ORDERED** that the parties shall Bates-stamp the administrative record (the “Record”) such that each page has a unique Bates number. It is further

**ORDERED** that, in lieu of separate Local Rule 56.1 statements, the parties shall file a joint statement of undisputed facts (“Joint Statement”), with citations to the Bates-stamped Record, **by the time that the first brief is due**. The parties shall indicate any disputed facts clearly in the Joint Statement. It is further

**ORDERED** that, within two days of the cross-motions being fully briefed, the parties shall email to Chambers a text-searchable copy of the Bates-stamped Record and a Word version of the Joint Statement. Defendants (as the last-to-file party) shall also submit the courtesy copies of all filings to Chambers. Except as provided here, the parties shall follow the Individual Rules on motions, exhibits and courtesy copies.

If the parties consent to Judge Figueredo’s jurisdiction, they shall seek further instructions from Judge Figueredo on delivering electronic copies of the record and the Joint Statement and physical courtesy copies to her Chambers.

Dated: August 9, 2023  
New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE